

RESTRICTION REQUIREMENT

The Examiner has required restriction among the following six groups of inventions under 35 U.S.C. §121:

- Group I: Claims 3-37, 42-76, 81, and 83 drawn to dynamic rules-based distribution of content to a consumer with payment, classified in class 705, subclass 26;
- Group II: Claims 38-41, 77-80, 82, and 84, drawn to consumer-to-consumer content distribution, classified in class 705, subclass 51;
- Group III: Claims 85 and 86, drawn to electronic music player activation, classified in class 705, subclass 51;
- Group IV: Claims 87 and 88, drawn to presenting certified retailer offer, classified in class 705, subclass 27
- Group V: Claims 89, drawn to electronic content reference tagging, classified in class 705, subclass 27; or
- Group VI: Claims 90-91, drawn to financial clearinghouse structure interacting with value chain, classified in class 705, subclass 37.

Applicants elect Group I, claims 3-37, 42-76, 81 and 83 **with traverse**. Applicants respectfully disagree with the Examiner's division of claims. Applicants respectfully submit that Group III and Group IV are not a separate invention and should be examined with Group I. Applicants respectfully request that claims 85-88 be examined with the claims of Group I and that claims 3-37, 42-76, 81, 83 and 85-88 be examined together.

I. Telephone Interview

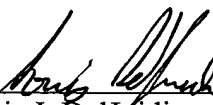
Applicants thank the Examiner for the telephone conference on October 20, 2004. Applicants and Examiner discussed the Restriction Requirement and the Examiner's division of the claims.

CONCLUSION

In view of the above remarks, withdrawal of the restriction requirement and action on the merits is respectfully requested.

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Respectfully submitted,

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